



General Assembly

January Session, 2017

Amendment

LCO No. 8067



Offered by:

REP. RITTER M., 1st Dist.
REP. REBIMBAS, 70th Dist.
REP. TONG, 147th Dist.
SEN. KISSEL, 7th Dist.
SEN. DOYLE, 9th Dist.
REP. STAFSTROM, 129th Dist.

REP. KLARIDES, 114th Dist.
REP. CANDELORA, 86th Dist.
REP. O'DEA, 125th Dist.
REP. O'NEILL, 69th Dist.
REP. PORTER, 94th Dist.

To: Subst. House Bill No. 7308

File No. 666

Cal. No. 431

***"AN ACT CONCERNING A TASK FORCE TO EXAMINE ISSUES
CONCERNING THE USE OF BODY-WORN CAMERA AND
RECORDING EQUIPMENT BY POLICE."***

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (*Effective from passage*) (a) There is established a task force
4 to examine the use of body-worn recording equipment by state and
5 municipal police in accordance with section 29-6d of the general
6 statutes, as amended by this act. Such task force shall examine (1)
7 whether such statute should be expanded or otherwise amended,
8 including, but not limited to, a consideration of whether such statute
9 or any other statute should address the use of electronic defense
10 weapon recording equipment, as defined in section 7-277b of the

11 general statutes, as amended by this act, (2) training associated with
12 the use of such equipment, and (3) data storage and freedom of
13 information issues associated with the data created by the use of such
14 equipment.

15 (b) The task force shall consist of (1) the following members or their
16 designees: (A) The chairpersons and ranking members of the joint
17 standing committees of the General Assembly having cognizance of
18 matters relating to the judiciary and public safety, (B) the Chief State's
19 Attorney, (C) the Chief Public Defender, and (D) the chairperson of the
20 Freedom of Information Commission; (2) (A) an active or retired judge
21 appointed by the Chief Justice of the Supreme Court, (B) a municipal
22 police chief appointed by the president of the Connecticut Police Chiefs
23 Association, (C) a representative of the Police Officer Standards and
24 Training Council, (D) a representative of the State Police Training School
25 appointed by the Commissioner of Emergency Services and Public
26 Protection, and (E) a representative of the criminal defense bar appointed
27 by the president of the Connecticut Criminal Defense Lawyers
28 Association; (3) six public members, appointed one each by the president
29 pro tempore of the Senate, the speaker of the House of Representatives,
30 the Senate Republican president pro tempore, the majority leader of
31 the Senate, the majority leader of the House of Representatives and the
32 minority leader of the House of Representatives; and (4) four sworn police
33 officers, (A) one of whom is a member of the Connecticut State Police
34 Union, appointed by the president pro tempore of the Senate, (B) one of
35 whom is a member of a municipal police department that serves a
36 municipality with seventy-five thousand residents or more, appointed by
37 the speaker of the House of Representatives, (C) one of whom who is
38 female, appointed by the Senate Republican president pro tempore, and
39 (D) one of whom is a member of a municipal police department that
40 serves a municipality with less than seventy-five thousand residents,
41 appointed by the minority leader of the House of Representatives.

42 (c) Not later than February 1, 2018, the task force established pursuant
43 to subsection (a) of this section, shall report its findings and any
44 recommendations for legislation to the joint standing committees of the
45 General Assembly having cognizance of matters relating to the judiciary

46 and public safety, in accordance with section 11-4a of the general statutes.
47 The task force shall terminate on the date that it submits such report or
48 February 1, 2018, whichever is later.

49 Sec. 2. Section 7-277b of the general statutes is repealed and the
50 following is substituted in lieu thereof (*Effective from passage*):

51 (a) The Office of Policy and Management shall, within available
52 resources, administer a grant program to provide grants-in-aid to
53 reimburse (1) each municipality for the costs associated with the
54 purchase by such municipality of body-worn recording equipment,
55 electronic defense weapon recording equipment for use by the sworn
56 members of such municipality's police department or for use by
57 constables, police officers or other persons who perform criminal law
58 enforcement duties under the supervision of a resident state trooper
59 serving such municipality, and digital data storage devices or services,
60 provided such equipment and device or service conforms to the
61 minimal technical specifications approved pursuant to subsection (b)
62 of section 29-6d, if applicable, and (2) any municipality making a first-
63 time purchase of one or more dashboard cameras with a remote
64 recorder. Any such municipality may apply for such grants-in-aid to
65 the Secretary of the Office of Policy and Management in such manner
66 as prescribed by said secretary. Such grants-in-aid shall be distributed
67 as provided in subsection (b) of this section.

68 (b) (1) (A) Any municipality that purchased such body-worn
69 recording equipment or electronic defense weapon recording
70 equipment or made a first-time purchase of one or more dashboard
71 cameras with a remote recorder during the fiscal years ending June 30,
72 2017, and June 30, 2018, and digital data storage devices or services
73 during the fiscal year ending June 30, 2017, shall, within available
74 resources, be reimbursed for up to one hundred per cent of the costs
75 associated with such purchases, provided the costs of such digital data
76 storage services shall not be reimbursed for a period of service that is
77 longer than one year, and provided further that in the case of
78 reimbursement for costs associated with the purchase of body-worn

79 recording equipment, such body-worn recording equipment is
80 purchased in sufficient quantity, as determined by the chief of police in
81 the case of a municipality with an organized police department or,
82 where there is no chief of police, the warden of the borough or the first
83 selectman of the municipality, as the case may be, to ensure that [each
84 sworn member] sworn members of such municipality's police
85 department [is] or constables, police officers or other persons who
86 perform criminal law enforcement duties under the supervision of a
87 resident state trooper serving such municipality are supplied with
88 such equipment while interacting with the public in such sworn
89 [member's] members', such constables', such police officers' or such
90 persons' law enforcement capacity.

91 (B) Any municipality that purchased such body-worn recording
92 equipment or digital data storage devices or services on or after
93 January 1, 2012, but prior to July 1, 2016, shall be reimbursed for costs
94 associated with such purchases, but not in an amount to exceed the
95 amount of grant-in-aid such municipality would have received under
96 subparagraph (A) of this subdivision if such purchases had been made
97 in accordance with said subparagraph (A).

98 (C) Any municipality that was reimbursed under subparagraph (B)
99 of this subdivision for body-worn recording equipment and that
100 purchased additional body-worn recording equipment during the
101 fiscal [year] years ending June 30, 2017, and June 30, 2018, shall, within
102 available resources, be reimbursed for up to one hundred per cent of
103 the costs associated with such purchases, provided such equipment is
104 purchased in sufficient quantity, as determined by the chief of police in
105 the case of a municipality with an organized police department or,
106 where there is no chief of police, the warden of the borough or the first
107 selectman of the municipality, as the case may be, to ensure that [each
108 sworn member] sworn members of such municipality's police
109 department [is] or constables or other persons who perform criminal
110 law enforcement duties under the supervision of a resident state
111 trooper serving such municipality are supplied with such equipment
112 while interacting with the public in such sworn [member's] members',

113 such constables', such police officers' or such persons' law enforcement
114 capacity.

115 (2) Any municipality that was not reimbursed under subdivision (1)
116 of this subsection and that purchased such body-worn recording
117 equipment [and] or electronic defense weapon recording equipment,
118 digital data storage devices or services or for a first-time purchase of
119 one or more dashboard cameras with a remote recorder during the
120 fiscal year ending June 30, [2018] 2019, shall, within available
121 resources, be reimbursed for up to fifty per cent of the costs associated
122 with such purchases, provided the costs of such digital data storage
123 services shall not be reimbursed for a period of service that is longer
124 than one year.

125 (c) For the purposes of this section, "electronic defense weapon
126 recording equipment" means an electronic defense weapon that is
127 equipped with electronic audio and visual recording equipment,
128 "electronic defense weapon" has the same meaning as provided in
129 section 53a-3, "dashboard camera with a remote recorder" means a
130 camera that affixes to a dashboard or windshield of a police vehicle
131 that electronically records video of the view through the vehicle's
132 windshield and has an electronic audio recorder that may be operated
133 remotely.

134 Sec. 3. Subsection (c) of section 29-6d of the general statutes is
135 repealed and the following is substituted in lieu thereof (*Effective*
136 *October 1, 2017*):

137 (c) (1) On and after July 1, 2016, each sworn member of (A) the
138 Division of State Police within the Department of Emergency Services
139 and Public Protection, (B) the special police forces established pursuant
140 to section 10a-156b, (C) any municipal police department for a
141 municipality that is a recipient of grant-in-aid as reimbursement for
142 body-worn recording equipment pursuant to subparagraph (A) or (C)
143 of subdivision (1) of subsection (b) of section 7-277b, as amended by
144 this act, or subdivision (2) of said subsection (b), and (D) any

145 municipal police department for any other municipality that is a
146 recipient of grant-in-aid as reimbursement for body-worn recording
147 equipment pursuant to subparagraph (B) of subdivision (1) of said
148 subsection (b) if such sworn member is supplied with such body-worn
149 recording equipment, shall use body-worn recording equipment while
150 interacting with the public in such sworn member's law enforcement
151 capacity, except as provided in [subsections (g) and (j)] subsection (g)
152 of this section, or in the case of a municipal police department, in
153 accordance with the department's policy, if adopted by the department
154 and based on guidelines maintained pursuant to subsection (j) of this
155 section, concerning the use of body-worn recording equipment.

156 (2) Any sworn member of a municipal police department, other
157 than those described in subdivision (1) of this subsection, may use
158 body-worn recording equipment as directed by such department,
159 provided the use of such equipment and treatment of data created by
160 such equipment shall be in accordance with the provisions of
161 subdivisions (3) and (4) of this subsection, and subsections (d) to (j),
162 inclusive, of this section.

163 (3) Each police officer shall wear body-worn recording equipment
164 on such officer's outer-most garment and shall position such
165 equipment above the midline of such officer's torso when using such
166 equipment.

167 (4) Body-worn recording equipment used pursuant to this section
168 shall conform to the minimal technical specifications approved
169 pursuant to subsection (b) of this section, except that a police officer
170 may use body-worn recording equipment that does not conform to the
171 minimal technical specifications approved pursuant to subsection (b)
172 of this section, if such equipment was purchased prior to January 1,
173 2016, by the law enforcement agency employing such officer.

174 Sec. 4. Subsection (j) of section 29-6d of the general statutes is
175 repealed and the following is substituted in lieu thereof (*Effective*
176 *October 1, 2017*):

177 (j) [Not later than January 1, 2016, the] The Commissioner of
 178 Emergency Services and Public Protection and the Police Officer
 179 Standards and Training Council shall jointly [issue] maintain
 180 guidelines pertaining to the use of body-worn recording equipment,
 181 retention of data created by such equipment and methods for safe and
 182 secure storage of such data. Each law enforcement agency and any
 183 police officer and any other employee of such agency who may have
 184 access to such data shall adhere to such guidelines. The commissioner
 185 and council may update and reissue such guidelines, as the
 186 commissioner and council determine necessary. The commissioner and
 187 council shall, upon issuance of such guidelines or any update to such
 188 guidelines, submit such guidelines in accordance with the provisions
 189 of section 11-4a to the joint standing committees of the General
 190 Assembly having cognizance of matters relating to the judiciary and
 191 public safety."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	7-277b
Sec. 3	<i>October 1, 2017</i>	29-6d(c)
Sec. 4	<i>October 1, 2017</i>	29-6d(j)